

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

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To amend, on a temporary basis, section 10 of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 to revise criminal and civil penalties and fines for violations of the act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Care and Community Residence Facility, Hospice and Home Care Licensure Penalties Temporary Amendment Act of 2001".

Sec. 2. Section 10 of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-509), is amended by adding a new subsection (f) to read as follows:

Note,
§ 44-509

"(f)(1) Any person who violates this act, or any rules or regulations promulgated pursuant to this act, shall be subject to a fine for each offense not to exceed \$10,000. For each violation, each day of violation shall constitute a separate offense, and the penalties prescribed shall apply to each separate offense. The total fine for a series of related offenses shall not exceed \$100,000. Procedures for adjudication of violations under this subsection shall be those established pursuant to titles I through III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

"(2) Any person who knowingly violates this act, or any rules or regulations promulgated pursuant to this act, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than \$25,000, or imprisoned for not more than 180 days, or both. For each violation, each day of violation shall constitute a separate offense, and the penalties prescribed shall apply to each separate offense. Prosecutions for violation of this act pursuant to this subsection shall be brought in the Superior Court of the District of Columbia by the Corporation Counsel for the District of Columbia."

Sec. 3. Fiscal impact statement.

This act shall have no negative fiscal impact.

ENROLLED ORIGINAL

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia